

## REMARKS

The Office Action mailed March 28, 2008 has been received and the Examiner's comments carefully reviewed. Claims 1-25 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

### Rejections Under 35 U.S.C. §103

I. Claims 1-2, 6-7, 10-18 and 21-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hope (U.S. Patent 4,486,816) in view of Gunther et al. (U.S. Patent 6,134,119). Applicants respectfully traverse this rejection.

Hope discloses a housing 12 for printed circuit boards (e.g. 16). The housing includes side plates 44, 46 and top and bottom plates 195, 197. The top plate 195 extends between elements 20, 26 (FIG. 6). The bottom plate 197 extends between elements 22, 28. The "rear" elements 20, 22 include two parallel side walls 52, 54 (FIG. 7) that depend downward from a main wall 50. The parallel side walls 52, 54 define a channel 60. A back plane assembly 32 is inserted and contained within the channels 60 of the "rear" elements 20, 22.

Independent claims 1 and 17 recite a chassis having covers or plates. The covers and plates of the chassis are inserted within or captured by identical elongated members.

The Office Action states that while Hope does not disclose identical elongated members, it would have been obvious to use the four identical elongated member design of Gunther in Hope for the purpose of facilitating the chassis assembly.

Gunther discloses a module support structure 1 that receives plug-in modules 10 having a front plate 9. The module support structure includes four module rails 4. Throughout the specification of Gunther, it is described that the front rails undergo a milling operation to remove protrusions (shown in FIG. 3 at 18) for the purpose of providing a seating surface 12 for the front plate 9. The protrusions 18 are added for particular manufacturing advantages (column 4 at lines 20-22). No where does Gunther teach or suggest that the rear rails undergo the same milling operation. It is submitted that because the rear rails do not contact a plate of the plug-in module 10, milling the rear rails would only add unnecessary manufacturing costs; and that therefore the rear rails are not milled.

The four rails of Gunther are accordingly not identical, but instead include front rails with milled surfaces, and rear rails with protrusions.

Further, even if Gunther did disclose identical rails, there is no motivation to incorporate a teaching of identical rails into the assembly of Hope, as such a modification to Hope would render the device of Hope inoperable.

In particular, the housing 12 of Hope requires the provision of a back plane assembly 32. The back plane assembly 32 is contained within a channel 60 of the "rear" elements 20, 22. Providing identical "front" elements having a channel (e.g. 60) would interfere with and block the insertion of a printed circuit board (e.g., 16). Referring to FIG. 6, for example, the printed circuit board 16 has a height defined between edges that are received within guides 34, 36. If an identical channel 60 depending down from the main body of the "front" elements 22, 28 were provided, a user could not insert the printed circuit board 16 into the guides 34, 36 of the housing 10.

Modifying Hope to include identical front and rear elements would render the device of Hope inoperable, or at least unsatisfactory for its intended purpose. Accordingly, there is no suggestion or motivation to make the proposed modification, and a *prima facie* case for obviousness cannot be properly established. MPEP 2143.01.

At least for these reasons, Applicants respectfully submit that claims 1-2, 6-7, 10-18, and 21-25 are patentable.

II. Claims 3-5 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hope and further in view of Chatel (U.S. Patent 5,506,751). Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hope and further in view of Hill et al. (U.S. Patent 5,546,282). Claims 9 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hope and further in view of Rebaudo et al. (U.S. Patent 4,470,100). Applicants respectfully traverse these rejections.

Claims 3-5 and 8-9 depend upon claim 1. Claims 19-20 depend upon claim 17. In view of the remarks regarding independent claims 1 and 17, further discussion regarding the independent patentability of dependent claims 3-5, 8-9, and 19-20 is believed to be unnecessary. Applicants submit that dependent claims 3-5, 8-9, and 19-20 are in condition for allowance.

## SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-25) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct.

Applicants reserve the right to raise these arguments in the future.

Respectfully submitted,



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